

## DEPARTMENT OF PERSONNEL ADMINISTRATION

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September 2000

Mr. Marty Morgenstern, Director  
Department of Personnel Administration  
1515 S Street, North Building, Suite 400  
Sacramento, CA 95814

Dear Mr. Morgenstern:

It is our pleasure to forward to you the attached report and recommendations from the joint labor/management Work and Family Advisory Committee. This report is a result of your personal commitment and the commitment of represented employee organizations in supporting a family-friendly work environment for California State workers.

The Committee wishes to extend its gratitude to you for providing the opportunity for us to work with you on this important project, and for the ongoing support to bring this work to its fruition. We hope you will join us in recognizing that, "California Works When Families Come First."

Sincerely,

The Work and Family Advisory Committee

# **The Future of California: Work And Family Programs**

## **Report and Recommendations**

Prepared by

Work and Family Advisory Committee

September 2000

[www.dpa.ca.gov/workingfamilies](http://www.dpa.ca.gov/workingfamilies)

# WORK AND FAMILY ADVISORY COMMITTEE REPORT AND RECOMMENDATIONS

September 2000

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## **WORK AND FAMILY ADVISORY COMMITTEE MISSION STATEMENT**

The Work and Family Advisory Committee, a joint labor/management body, identifies, recommends and advocates family friendly work policies and programs to support California State employees in balancing their work and family needs.

### **Committee Members**

Nancy Clifford	American Federation of State, County and Municipal Employees
Kathleen Collins, Labor Co-Chair	California State Employees Association
Lorna Fong	Employment Development Department
Betty Gotelli	Department of Parks and Recreation
Kristen Haynie	California Association of Professional Scientists and Professional Engineers in California Government
Sonia Herrera	Department of General Services
Deborah Johnson	California Youth Authority
Barbara Longo	Department of Health Services
Eliza Lumang	California State Employees Association
Pam Manwiller	Union of American Physicians and Dentists
Suzanne Marria, Management Co-Chair	Department of Industrial Relations
Mike Martel	Department of Corrections
Jim Mason	Department of Water Resources
Dan McNaulty	International Union of Operating Engineers
Beth Meneely	Department of Developmental Services
Vincent O'Neal	California Department of Forestry Firefighters
Sara Prieto	California State Employees Association
Carrie Prue	California Association of Highway Patrolmen
Jeanne Rodriguez	California Department of Social Services
Ricardo Sanchez	California Union of Safety Employees
Gail Schifsky	Department of Transportation
Dana Shriver	California Association of Psychiatric Technicians
Rachel Talbot	California State Employees Association
Jaye Vanderhurst	Department of Mental Health
Stephen Walker	California Correctional Peace Officers Association
Roberta Ward	Association of California State Attorneys and Administrative Law Judges
Lisa Watson	California Highway Patrol
Pat Wilson	California Highway Patrol

## EXECUTIVE SUMMARY

Work and family issues have long had significant and far-reaching implications for job performance, productivity, labor management relations, recruitment and retention of loyal and highly skilled workers, and the delivery of high quality services to taxpayers by California State workers. Demographic changes such as the growth of women's participation in the workforce, increased number of dual-earner households, single parents and individual wage earners, and the dramatic trends associated with the increasing number of older persons who must depend upon family members for care and support, all contribute to increased tension. Competition for State resources that impact staffing levels necessary to implement new programs, such as the Family Medical Leave Act, has also added to the State's burden.

Plato, in *The Republic*, said: "The beginning is the most important part of the work." This report represents the beginning – the beginning for new and exciting programs to address work and family issues for California State employees. This report is the beginning of a strong partnership developed within a labor/management committee, with organized labor and management having a common belief; that "*work and family programs have a positive impact on employee productivity and morale, as well as the productivity of the State and its business*" (from the 1999 collective bargaining agreements).

The Work and Family Advisory Committee created five sub-committees at the initial January 2000 meeting. Over the last eight months, the sub-committees:

- **Current Policies and Programs**: researched all departments and labor organizations and developed a comprehensive listing of current work and family programs available to certain California State employees. See Appendix A.
- **Best Practices**: analyzed and compiled a report on national work and family initiatives from both the public and private sectors, for the Work and Family Advisory Committee's consideration. See Appendix B.
- **Website**: designed and maintained the Work and Family Advisory Committee homepage ([www.dpa.ca.gov/workingfamilies](http://www.dpa.ca.gov/workingfamilies)). The site was launched on March 30, 2000 and as of September 11, 2000, over 11,000 hits have been received. The Website Sub-Committee has received and responded to over 50 e-mails from California State employees on work and family issues since the initiation of the website. See Appendix D.
- **Marketing and Outreach**: developed and implemented a communication strategy and marketing plan, which included a memorandum to Agency Secretaries and Department Directors on the Work and Family Advisory Committee; memoranda to all public information officers and personnel officers on the Work and Family Advisory Committee; the website; the logo; the August 2000 paycheck stuffer; as well as a tri-fold brochure announcing the release of the final Work and Family Advisory Committee report. See Appendix D.
- **Needs Assessment**: developed the request for proposal and worked with the needs assessment contractor (University of California at Los Angeles) on all aspects of the assessment and the focus groups. See Appendix E.

In the same first meeting in January 2000, the Work and Family Advisory Committee began brainstorming work and family ideas, programs, and issues. It soon became clear

that we needed feedback and validation from State employees on their work and family needs. We contracted with the University of California at Los Angeles, Center for Labor Research and Education, Institute of Industrial Relations, School of Public Policy and Social Research to conduct a statistically reliable assessment of the State workforce. No other state has taken such a bold step to complete such a comprehensive survey representing the needs of almost 220,000 employees.

The needs assessment results showed a total of 44 percent of the workforce has at least one child dependent, 56 percent do not have any child dependents, 15 percent care for both adult and child dependents, 50 percent expect to be responsible for an adult dependent within the next five years. The needs assessment also indicates there are significant differences among demographic groups (i.e., gender, age, type of dependents, representation status, etc.) in terms of the problems experienced with family issues and the impacts on work. In general terms, women, younger workers, workers with both adult and child dependents, and rank and file employees experience significantly more problems with dependent care issues and assign more importance to supportive work and family programs.

A significant portion of the needs assessment focused on employee awareness and utilization of existing work and family benefit programs. While utilization levels by age do not follow consistent patterns, awareness levels are clearly affected by age. In all instances, younger employees report that they are unaware of benefit programs more than do older employees. For example, 25 percent of workers aged 21 to 35 reported being unaware of the Family School Partnership Act, while only 8 percent of the employees over age 55 reported being unaware of the program, even though these older employees are much less likely to have school age children.

There was widespread agreement among California State employees that family-friendly benefits and programs are important and necessary to cope with balancing work and family obligations. When asked to prioritize their preferences:

- 83% - time off for family member illness
- 70% - flexibility in work hours
- 61% - time off for routine medical appointments
- 60% - time off for children's school-related activities

The recommendations included in this report cover five broad categories:

1. **Framework:** create a Work and Family Coordinator at the Department of Personnel Administration, as well as in all departments; establish a Work and Family Labor/Management Committee; and issue an Executive Order supporting family-friendly programs.
2. **Flexibility:** support flexibility programs; create a family crisis leave program; adopt consistent hardship transfer policies; create an unpaid family leave program; expand leave credit transfer policies; and change the time period for calculating Family Medical Leave Act eligibility.

3. **Administration Assistance and Support:** design and implement a comprehensive statewide management training program on work and family; expand minimum qualification criteria on manager and supervisory examinations; include work and family priorities in manager evaluations; include work and family program initiatives as a category for management incentives; implement regular reporting requirements; and create and implement a comprehensive plan for defining and adopting work and family principles into State policies.
4. **Education/Resource and Referral:** develop a Work and Family reference handbook; and develop a resource and referral program for dependent care.
5. **Dependent Care:** fund dependent care demonstration project to assess the utilization of dependent care for extraordinary purposes.

We recommend a phased approach to implementation, recognizing that planning, staffing, and development of fundamental program changes, as well as coordinating across all departments and agencies will take time. Once the report is accepted, the remainder of Fiscal Year 2000/2001 would be devoted to initiating implementation of the Phase I recommendations, beginning with the recommendation to create a Work and Family Coordinator, a Work and Family Labor/Management Committee and encumbering the \$5 million budget allocation. Phase II recommendations are more complex and require substantially more funding to implement; implementation will occur in Fiscal Years 2001/2002 and 2002/2003. As funding becomes available, subsidies and other fiscal offsets can be expanded to additional work and family programs identified by California State workers. During Fiscal Year 2003/2004, recommendations would be fully implemented and the Department of Personnel Administration will conduct a needs assessment of California State employees to identify the extent to which the work and family programs developed through this program, have had a positive impact on their quality of life. As additional funding is identified, modifications would be made to programs based on the needs assessment, and dependent care subsidies and other family-friendly benefit and policy options would be expanded.

On September 4, 2000, the State of California celebrated the state's 106<sup>th</sup> Labor Day. As Governor Gray Davis stated in the proclamation: "Labor Day is an opportunity to recognize those who began the fight to improve working conditions and labor laws. Let us also recognize those who contribute to improve quality and efficiency, reduce production costs, promote new job opportunities and ensure safe and healthy working conditions. California's workforce is the soul and strength of our economy and Californians should recognize the vital role that California's working men and women have played in ensuring the prosperity of this Great State." As one of the largest employers in California, the State of California can echo the Governor's call to recognize the invaluable contributions the State workforce has provided to the citizenry and economy of the State. This report provides the research and recommendations to begin with earnest, to take exciting and proactive steps celebrating California State workers, their contributions, and recognizing their work and family issues.

No other state has made the commitment to create and maintain a family-friendly workplace by conducting such an extensive and comprehensive survey of state employees to identify their unmet work and family needs. No other state has allocated \$5 million as seed money to implement innovative and cutting-edge work and family programs. By commissioning this report and surveying its workforce, the State of California is recognizing and celebrating the contributions of all State employees. California is ready to become a leader in state work and family programs.

Alfred Adler, the father of individual psychology said, "The chief danger in life is that you may take too many precautions." We recognize these recommendations suggest a necessary fundamental philosophical change, not only in management culture but also, ultimately in how State programs may be funded in the future. Now is the time for the State of California to act boldly and proactively to create a family-friendly work environment for its workers. It is up to all of us to work together to implement these programs -- labor and management alike, working side by side. We have achieved two landmark goals with the negotiated contract language and the State employee survey – let us not lose the momentum.



## **I. BACKGROUND**

The Work and Family Advisory Committee (WFAC) is a joint labor/management committee that was established as a result of the contract negotiations in 1999 between the administration of California Governor Gray Davis and the employee organizations representing the State's 21 represented bargaining units. The mission of the WFAC has been to identify, recommend, and advocate for family-friendly policies and programs that support California State employees in balancing their work and family needs. The authority of the WFAC was vested in the negotiated collective bargaining agreements that apply to the entire represented State workforce.

The WFAC is made up of 30 members, 15 representing the employee organizations and 15 management representatives. Within the collective life experience of members of WFAC, we are a microcosm of the State work force: dependent child care needs; dependent adult care needs; grandparents raising grandchildren; single parent families; low income and two income families struggling to make work schedules and finances stretch to meet work and family demands; supervisors who have tried to make family-friendly flexibility work; supervisors and rank and file employees penalized for use of work and family benefits; people who passed up promotional opportunities because of impact on the family; people with no dependents; people working in remote rural areas, 24 hour institutions, correctional facilities, secured hospital institutions and those with heavy travel schedules; those who have tried to negotiate work and family benefits and programs; those who have recommended policy improvements unsuccessfully; labor representatives; management representatives; clerical, technical, professional, management and exempt classifications; members who celebrated several births; and one member who suffered the death of a family member.

While we started this project with many ideas borne from our own family experiences and knowledge of state employment, we were united in the belief that we had a responsibility to find out from California State employees what their needs and priorities were before we made any recommendations. Through a historic and representative employee needs assessment survey and employee focus groups, the data confirmed many of our hypotheses and provided data on the priorities of the California State government workforce.

The impetus for this Committee and its unprecedented work resulted from the growing realization among California's civil service employees, employee organizations, and decision makers that work and family issues had risen to such a high level of importance within the State workforce that they could simply no longer remain unresolved.

### **The WFAC Committee Process and Methodology**

The Committee has been provided professional staff assistance from the Department of Personnel Administration (DPA), consulting assistance from the Labor Project for Working Families, a professional facilitator, and departmental support so that the Committee members could conduct their business. The Committee was given a budget for the hiring of additional consultant services,

conducting a massive statewide needs assessment and focus groups, creating and maintaining a website, and conducting specialized outreach and marketing efforts among the State workforce.

This report represents the culmination of more than eight months of unprecedented cooperative effort on the part of the members and staff of the WFAC. During this period, the Committee members from each employee organization, management, and many State departments worked diligently to complete their respective charges and prepare this report. They compiled information related to current work/family programs, policies, benefits, and contractual provisions that are available to State employees. They researched best practices in the area of work/family programs so that California's decision-makers could utilize them. They hired and directed expert consultants who conducted a statistically valid statewide needs assessment, including focus group meetings among the workforce statewide.

The WFAC employed a variety of methods to gather its information, make decisions and recommendations, test its own theories and assumptions, and validate its conclusions. Committee members worked in a truly cooperative effort for long hours and days both during the monthly meetings and on their own time to research current policies, programs, and best practices among other employers so that the full committee could begin to develop the issues that finally became full-blown recommendations.

The Committee made decisions by first brainstorming, then refining, and fine-tuning the issues. They then began developing mutually agreed upon criteria against which to compare the issues, continually bringing them back to the group for additional discussion and fine-tuning, and finally testing their results against those from the statewide needs assessment/focus group data. Every recommendation contained in this report was subjected to this process. Every recommendation in this report was discussed, debated, tested, and voted upon until all Committee members could satisfy themselves that their recommendations were valid and on target.

### **The Goals of This Report and Its Recommendations**

This report is the culmination of a journey and a first step down a new and exciting path. It is the first "snapshot" of the work/family issues affecting the California State workforce, and the first cooperative labor/management effort to address those issues in a systematic manner.

The current budget allocation of \$5 million, while precedent setting in its own right, cannot begin to completely resolve all of the issues identified in this report; the needs of this huge and diverse workforce are significant in both their scope and the costs associated with resolving them. However, the WFAC strongly believes that by focusing on its recommendations during what is now clearly the first phase of a necessary statewide work and family program, the State can set a new course through which future committees, future collective bargaining processes, and future administrations can navigate.

Many issues identified by the WFAC and contained in its recommendations are clearly within the scope of bargaining as defined by the Ralph C. Dills Act. The fact that the WFAC may have made recommendations in no way diminishes the State employer's duty to bargain with the represented employee organizations; nor can it supplant any employee organization's obligation to raise the issues in the collective bargaining arena.

While this report does not address **every** work and family issue within the California State workforce, it does identify those overarching issues that affect significant segments of State employees across every occupational group, bargaining unit, social stratum, and economic condition. Those with the responsibility and authority for decision making within the State workforce can utilize this report as a lens into its workforce and a guide for moving the workforce further into the 21st century.

We are extremely proud of our effort and of the support of this administration for our efforts. We are satisfied that the conclusions we have drawn from the data are valid and that our recommendations are both necessary and achievable. California is in a unique position. It can become a national leader in the area of work and family programs, and it can utilize this report as its basis for beginning to do so. As the WFAC slogan says, "California Works When Families Come First." It is time to start work.

## **II. RECOMMENDATIONS**

### **A. Introduction**

These recommendations conclude eight months of work by the WFAC. We present these recommendations with the understanding that many may be subject to the collective bargaining process. The recommendations are presented in "phases" and reflect a general order in which we feel the recommendations should be implemented. Phase I recommendations can be initiated in Fiscal Year (FY) 2000/2001, and focus on funding options to maximize the \$5 million allocation to develop new and enhance existing work and family programs for California State employees.

Phase II recommendations are longer term and will require additional analysis and research to assess their fiscal and program viability and implementation. We expect these recommendations to begin implementation in FY 2001/2002 and FY 2002/2003. Phase III (FY 2003/2004) continues program implementation and during this phase, DPA will sponsor another statistically reliable needs assessment of the California State workforce to assess the impact of implemented work and family programs.

Throughout the body of this report, reference is made to two separate and distinct "work and family" committees. The Work and Family Advisory Committee (WFAC) is the existing committee that produced this report. The term "Work and Family Labor/Management Committee" (WFLMC) refers to a new, permanent committee recommended in this report.

## **B. Phase I**

The Phase I recommendations are divided into five categories: Framework, Flexibility, Administration Assistance and Support, Education/Resource and Referral, and Dependent Care. The framework category represents those action items, which, by their very nature, must take place first in order for any of the remaining recommendations to be accomplished. All of framework recommendations involve DPA commitment and leadership to institutionalize work and family programs into California government operations. The remaining four categories are based on the order of importance they were given by State employees in the needs assessment. The individual recommendations are not listed in any particular order. We recognize that individual departments must maintain some flexibility in implementing these recommendations, based on their operations and resources.

### **1. Framework Recommendations:**

**DPA Work and Family Coordinator.** We recommend a Work and Family Coordinator be permanently created and employed by DPA. The Coordinator will report directly to the Director of DPA and will begin work within 60 days of report acceptance. The Coordinator's classification will be at a level commensurate with the broad responsibilities of the assignment, with sufficient authority and latitude to provide strong guidance and direction to the departments. The DPA will ensure that adequate technical and clerical support is available to the Coordinator to maximize the effectiveness of the Coordinator's efforts. The DPA will establish funding for this position using existing resources and support the funding for a permanent position in FY 2001/2002 budget.

The Coordinator's responsibilities will include, but not be limited to the following:

- Assisting State departments, agencies, boards, and commissions to identify, designate, and otherwise support departmental Work and Family Program Representatives;
- Assisting Work and Family Program Representatives to implement the recommendations from the WFAC;
- Providing staff support, technical, and clerical assistance to the WFLMC;
- Maintaining, updating, and continuously improving the Work and Family website ([www.dpa.ca.gov/workingfamilies](http://www.dpa.ca.gov/workingfamilies));
- Coordinating research into new initiatives, bargaining proposals, and program improvements;
- Acting as the DPA liaison to the Department of Finance, State departments, agencies, boards, commissions, and the California State Legislature on the State's Work and Family Program; and,
- Providing oversight, review, and evaluation of the State's efforts to implement work and family initiatives in the workplace. This will be captured in reports prepared for the Director of DPA.

**Work and Family Program Representatives.** We recommend each department, agency, board, and commission, identify an individual to act as a liaison to the DPA Work and Family Coordinator. The DPA Coordinator will facilitate an initial meeting for all representatives, and will meet regularly with representatives. The DPA Work and Family Coordinator will provide work and family education and learning opportunities for all representatives. The representatives are responsible for coordinating work and family programs within their departments, sharing best practices, and networking good ideas with other representatives, as well as providing DPA with information for required reports.

**Work and Family Labor/Management Committee.** We recommend that a permanent Work and Family Labor/Management Committee (WFLMC) be established to oversee and direct the Work and Family program. The Committee must include representatives selected by the exclusive representatives of State bargaining units and supervisory/management representatives selected by the State so the Committee reflects the California workforce. Members will participate on the Committee without loss of compensation.

The membership of the WFLMC shall be selected within 90 days of report acceptance and shall begin meeting at least quarterly 30 days later. We strongly recommend that WFLMC consider including current members of the WFAC, to enhance the continuity and to assist in the transition to a permanent structure.

Committee responsibilities will include, but not be limited to the following:

- Working closely with the DPA Work and Family Coordinator, as well as the department Work and Family Program Representatives (department liaisons) to review and monitor policies and measure the effectiveness of initiatives implemented under the Work and Family Program;
- Attending quarterly meetings;
- Establishing a budget for Work and Family Program administrative needs and allocating funding;
- Initiating and maintaining a marketing effort to educate and inform State employees about family-friendly policies, programs, and the WFAC recommendations;
- Organizing and presenting informational events in various locales; e.g., the annual DPA Labor Relations/Personnel Conference, to educate and inform State employees, supervisors, and managers about the Work and Family Program and its benefits;
- Conducting outreach to the labor organizations representing State employees and to the larger labor community in general;
- Encouraging departments to provide State time and support so employees can participate in State-supported work and family activities; e.g., wellness programs, fitness and stress reduction programs, nutrition programs, etc.;
- Identifying funding needs and resources, new ideas and initiatives in work and family programs;

- Providing oversight to complete required reports; and
- Recommending initiatives and priorities for work and family programs and benefit options (knowing some may be subject to the collective bargaining process).

**Executive Order.** We recommend Governor Gray Davis issue an Executive Order supporting work and family programs for State employees by January 2001. We recommend the Executive Order:

- Express the Governor's support and appreciation to the over 219,000 State employees for their commitment to improving the quality of life for all Californians through their hard work and quality service;
- Recognize the importance of work and family programs to improve the quality of life for State employees, as well as improving morale and increasing productivity;
- Announce the creation of the DPA Work and Family Coordinator position;
- Support the recommendations of the WFAC to utilize the allocated \$5 million, subject to the outcome of the collective bargaining process;
- Support the establishment of and ongoing work of the WFLMC;
- Create an annual proclamation for a Work and Family Week;
- Require the DPA Director to report annually to the Governor on the state of the work and family program accomplishments and achievements;
- Require each department, agency, commission, and board, to designate a liaison for work and family programs;
- Challenge management to take a leadership role in advocating and promoting a family-friendly work environment, by recognizing the value of each employee as a whole (i.e., a person with work life and personal life demands) and by supporting State programs designed to address work and family needs; and,
- Encourage all employees to actively support fellow co-workers to ensure a work and family friendly work site.

## **2. Flexibility Recommendations:**

One of the most significant problems facing California State employees is flexibility. Whether it is flexible work hours or flexibility in taking time off for family illness or dependent activities, both rank and file workers (72 percent) and management (79 percent) reported problems coordinating their work and family schedules (see Work and Family Study Report – Appendix E). California State employees need to know that their co-workers, supervisors, and managers support the day-to-day challenges and employee needs associated with work and family issues.

**Flexibility at the Work Site.** We recommend the State of California support model flexibility programs which authorize employees and supervisors at a worksite level to creatively manage work schedule and leave time arrangements with workload responsibilities. Based on such models, we recommend the State adopt permanent standards regarding flexible work schedules. Flexible work schedule standards will ensure a

cooperative environment where co-workers accommodate the needs of individual employees. We recommend the WFLMC work with the DPA Work and Family Coordinator to draft standards and create models of flexible work schedules and hours. The needs assessment survey demonstrated there is a growing need to allow more employees alternate work schedule options; e.g., 4/10/40, 9/80, job sharing, part-time, fractional time, etc. We encourage additional research and standards development to:

- Provide models such as job share or part-time schedules to meet family and medical needs without adversely affecting the minimum of 11 work days/month required to maintain benefits and seniority. These models will support managers and supervisors in providing flexible options to employees;
- Adopt statewide standards for all employee classifications to be allowed a temporary change/swap in work schedules to address an emergency or extraordinary need (e.g., family illness, dependent care issues, and/or other family emergencies);
- Develop and implement a statewide option to telecommute; and,
- Provide all employee classifications with a supportive environment and appropriate location that will accommodate special health needs, such as addressing the needs of breastfeeding mothers.

**Family Crisis Leave.** Similar to the concept of Family Activity Leave, we recommend DPA, in conjunction with WFLMC, create a family crisis leave program to include leave for specified family crisis situations, e.g., divorce counseling, family or parenting conflict management, domestic violence counseling, elder care, emergencies, etc.

**Hardship Transfers.** We recommend adoption of a consistent State practice to accommodate transfers in cases of hardship such as domestic violence situations, spousal mandatory job transfers, family illness or employee health reasons, and injury or death of family members. Every consideration should be used in reassigning an employee to a comparable position in the requested geographic area.

**Family Activity Leave.** We recommend DPA, in conjunction with WFLMC, create an unpaid leave program (just as FMLA is unpaid), to allow employees to take a specified amount of time each year for attending family-related activities, e.g., graduation, school plays, 4-H shows, etc. Currently, some requests for unpaid leave time for such purposes are denied. This would give employees the ability to schedule in advance time off for attending family activities.

**Transfer of Leave Credits.** Many California State employees and their families face the struggle of having the ability to use paid time off for family reasons. Often, employees have legitimate family needs that they must address, but do not have the leave balance to stay off work, nor the financial means to afford to be off work without pay. This occurs many times with the birth or adoption of a newborn. This classic example of how family life impacts work results in an employee who does not have their full attention

on the job. The fact that the employee is being pulled many ways at once is reflected in the work product. In many instances, the employee has one or more family members who work for the State of California and are also distracted from giving their full attention to the job due to the family crisis. If one of the family members were able to remain off work and deal with the issue, the other family members would be better able to provide full attention to the job.

We recommend California State employees be allowed to transfer leave credits between immediate family members and domestic partners for work and family needs, without requiring the recipient employee to exhaust existing leave balance(s). Allowable leave donations would be: annual leave, vacation, compensating time off (CTO), personal leave and/or holiday credits. The collective bargaining process will establish the criteria for eligibility for transfer of leave credits.

We also recommend that DPA, in conjunction, with the WFLMC, evaluate the feasibility of allowing employees to transfer sick leave balances to other State employees for catastrophic illnesses. (Currently sick leave balances may not be used for catastrophic illness donations.)

**Calculating Family Medical Leave Act (FMLA) Eligibility Period.**

California State departments currently use one of four methods contained in the Federal Regulations to determine the 12-month eligibility period. These methods include: a calendar year; any fixed period (e.g., fiscal year); a 12-month rolling backwards; or a 12-month measured forward. We recommend that the State of California use the calendar year. Employees would be entitled to up to 12 weeks of FMLA leave during each calendar year, as defined in the FMLA:

*“825.200(b)(1) An employer is permitted to choose any one of the following methods for determining the “12 month period” in which the 12 weeks of leave entitlement occurs:  
(1) The calendar year.”*

An employee could, therefore, take 12 weeks of leave at the end of the calendar year, and 12 weeks at the beginning of the following year, increasing FMLA-related flexibility options.

**3. Administration Assistance and Support Recommendations:**

In order for work and family programs to be implemented effectively throughout the State of California operations, all levels of the Administration must support and embrace the programs. As one of the focus group participants stated:

*“It seems like (executive management) are the ones that are really setting the ground rules for all of our different operations...it’s going to have to come down from*



*headquarters. Our place is not going to do it until they get the okay from up there... We need Sacramento to start taking action and looking at this...".*

A strong management commitment and a keen awareness of the relationship between the impact of work and family issues, and employee morale and productivity are essential elements in the success of the State's work and family program. Failure to do so creates a conundrum that can never be resolved.

**Management's Role.** State managers and supervisors must support and buy in to every new program. Without that support, the program will fail. Even before the phrase "work and family" was coined, we know from experience that daily work and family issues do impact the productivity, efficiency, effectiveness, and morale in the workplace. As such, management support is key to effective program implementation, as many will need support and encouragement from executive management to shift opinions, viewpoints, and paradigms. We also recognize that many supervisors and managers have already embraced family-friendly solutions in their operational units and do have the flexibility within their work environment to design, create, and implement innovative and progressive work and family ideas for their employees.

**Management Training.** We recommend that a comprehensive statewide training program be designed and implemented to increase awareness and understanding of work and family issues, for all California State managers and supervisors, by January 2002. The DPA Work and Family Coordinator will design the curriculum, working closely with department-level training coordinators. The training module would be incorporated into the existing Government Code mandated 80-hour training for new supervisors and managers, and would be at least two hours in length. Additionally, training officers in all agencies and departments will be responsible for incorporating the module into all in-house supervisory and management training programs.

The training curriculum will be tailored to the unique needs of supervisors and managers, recognizing their daily challenges in balancing workload issues in the office with the work and family needs of all employees. Critical outcomes from the training program will be:

- Increasing management knowledge of work and family issues;
- Acquiring skills in flexibility and autonomy in management decision-making;
- Having access to a resource and support system to assist managers and supervisors with difficult challenges; and,
- Developing an incentive system valued by managers and supervisors for implementing successful work and family programs in their unit.

The work and family management training will:

- Clarify the roles and responsibilities of supervisors and managers in proactively looking for practical solutions to employees' work and family issues;
- Emphasize that the success of work and family programs in offices depends on supervisors and managers working cooperatively with rank and file employees;
- Provide current policy information and programs available to State employees and to management staff for handling work and family issues that may arise;
- Emphasize the importance of applying work and family principles fairly and consistently, at all work sites, and for all employees; and,
- Place the responsibility of successful program implementation on supervisors and managers using performance evaluations.

**Consistent Application of Work and Family Policies and Programs.**

We recommend that a comprehensive plan for defining and adopting work and family principles into State policies and practices affecting State employees be designed by June 30, 2001. We recognize that State employment policies and practices are driven by terms of the various collective bargaining agreements, and various State and Federal employment and benefit laws and regulations. The goals are:

- To establish and expand a statewide agency culture which values the whole employee (work life and personal life) and supports working families;
- For DPA to take a leadership role, with the assistance of the WFLMC, in advocating and promoting a management culture that makes a priority of supporting work and family policies and programs;
- To create mechanisms to educate State employees, supervisors and managers about the existence and use of work and family programs;
- To train managers and supervisors on how to implement work and family programs in a equitable and consistent manner;
- To identify work and family programs which must be implemented uniformly throughout all State agencies and departments;
- To identify work and family programs left to local level management discretion for implementation, as long as the local implementation process meets benchmark criteria specified by the WFLMC; and,
- To develop training resources that teach management and employees to use a cooperative team approach to implement work and family policies and programs effectively.

We recommend that the DPA Work and Family Coordinator work with department representatives to:

- Identify, publicize and provide advice on work and family employer policies, collective bargaining agreement provisions, and applicable State and Federal laws and regulations which must be implemented uniformly by all State agencies and departments, or which allow local unit management discretion in implementation;
- Set priorities and goals for achieving statewide practice of policies and programs that support work and family needs of California State employees;
- Work with departments to identify inconsistent application of policies among departments;
- Provide training and education on the use of newly revised family-friendly policies and practices; and,
- Measure and report on an annual basis, the progress of implementing targeted work and family policies and practices throughout the State of California.

**Manager and Supervisor Promotion Criteria.** We support the awareness and knowledge that managers and supervisors must have in order to mentor their employees in family-friendly environments. To this end, we recommend that minimum qualifications on all examinations for managerial and supervisory examinations be expanded to include “knowledge of work and family issues and experience in successfully addressing same.” To support this, the DPA Work and Family Coordinator will review all managerial and supervisory class specifications with the State Personnel Board to modify minimum qualifications and class requirements, and complete this recommendation by June 30, 2003.

**Manager and Supervisor Accountability.** We recommend all manager and supervisor performance appraisals measure demonstrated knowledge of work and family priorities, and an evaluation of the extent to which the manager or supervisor models support for work and family programs.

**Manager and Supervisor Incentives.** To encourage and support the changing management role, we recommend special recognition for managers and supervisors be included in existing programs, such as the Sustained Accomplishment Award program. Existing recognition programs will include criteria, which demonstrates “innovative solutions and support to work and family issues.” The WFLMC will develop the details for this incentive program, by June 30, 2001.

**Reporting Responsibilities.** When new ideas are announced, and from those ideas new programs and initiatives begin, it is easy to lose sight of the program goals and progress. We recommend regular reporting to maintain a strong focus, as well as to support continuous improvement in implementing effective work and family practices, standards, and programs throughout the California State workforce. We recognize that the means by which each department or agency achieves a family-friendly culture will

require some variation due to mandates, public service demands, and conditions under which the department or agency operates.

The reporting requirements would vary in complexity during the first three years, in recognition of the start-up time and implementation priorities. The department Work and Family Program Representatives will submit the reports to the DPA Work and Family Coordinator, who will include the data into a statewide annual report on work and family programs. All reports will be posted on the Work and Family Program website ([www.dpa.ca.gov/workingfamilies](http://www.dpa.ca.gov/workingfamilies)) and will be distributed to all departments and agencies.

The data collected will:

- Provide a concise and effective mechanism for tracking progress across agencies and departments;
- Provide a mechanism for disseminating successful strategies, programs, and experience to DPA and among agencies;
- Enhance consistency among agencies for specified priority policies and programs;
- Provide a basis for discontinuing ineffective practices and programs; and,
- Use the lessons learned to adjust programs, policies, and benefits so they are more effective in meeting the needs and priorities of California State employees.

The three objectives for reports are: first year – participation; second year – commitment; third year and beyond – innovation. We recommend each department begin by setting a one-year goal. Departmental goals may vary, depending on department priorities, and could include, as an example, “Identifying Work & Family Needs of Department Employees.” Progress on the overall goal could be measured through “objectives” (or “steps”), such as designating a department Work and Family Representative; identifying available work and family programs; educating department employees on current work and family program information; incorporating work and family issues into new employee orientation; conducting a department-level needs assessment on work and family issues, etc.

Reports will be submitted to the DPA Work and Family Coordinator. We recommend a very brief reporting format for the periodic first year reports. Information contained in the report should include:

- a department goal;
- an achievable objective for the reporting period;
- outcome measures (as distinguished from activity measures);
- a statement of the current baseline; and
- if desired, additional narrative germane to either achieving the stated goal or barriers and mitigation steps.

**First Year Reporting:** We recommend a quarterly report. The department begins by reporting the departmental goal, the initial "objective", the outcome measure, the baseline, and if desired, an additional statement explaining the project or known barriers and planned mitigation efforts. The purpose of quarterly reporting to the DPA Work and Family Coordinator is to track progress, identify obstacles and enable the department to obtain assistance from the DPA Work and Family Coordinator. We recommend that the DPA Work and Family Coordinator work directly with the department representatives if problems or barriers are encountered during the first twelve months. In the last quarterly report, departments would be expected to add a brief narrative evaluating the first year project. Was the goal achieved? Did the outcome measure help? What fiscal, policy and staff challenges were encountered and how were they resolved? Goal, objective, outcome measure, baseline for Year 2?

**Second Year Reporting:** Focus, attention, and visibility are achieved through the second year reporting. We recommend a semi-annual report from departments in Year 2. The first second year report will be in the same format as the quarterly first year reports. The final second year report will state the department goal, objective, outcome measure, baseline for Year 3 and provide a narrative similar to the first year final report.

**Third Year and Beyond Reporting:** We recommend the reporting after Year 2 be made annually to the DPA Work and Family Coordinator.

The WFLMC, with the assistance of the DPA Work and Family Coordinator, will prepare an annual report, based in part on the departmental reports, which summarizes the progress made by departments in creating a more family-friendly work environment. The report will include:

- Programmatic and policy successes, including the elements that supported the success, the costs, and the timeframe;
- Unsuccessful efforts and discussion of the elements that impaired success, including budgetary, policy, and resource impediments or constraints; and
- Suggestions for new policy and program initiatives for the WFLMC and DPA to consider in the future.

#### **4. Education/Resource and Referral Recommendations:**

The needs assessment data sent a consistent and strong message from California State employees that they do not have access to a mechanism to get current information on available work and family programs. Educating State employees will be a two-fold process. The first step is to increase the awareness of, and educate employees about, those work and family programs currently available, through multi-media efforts. The second step is to provide resources to assist employees in identifying available care options in their communities in order for them to make informed decisions on dependent care options.

**Employee Awareness, Outreach and Handbook.** We recommend the DPA Work and Family Coordinator guide the department representatives in educating all State employees on existing work and family policies and programs. The DPA Work and Family Coordinator will develop a Work and Family reference handbook to educate employees on the current work and family benefits, policies, and programs. The WFLMC will review and approve the handbook prior to distribution by the departments. In addition, DPA will maintain the Work and Family Program website ([www.dpa.ca.gov/workingfamilies](http://www.dpa.ca.gov/workingfamilies)). The Work and Family reference handbook, referral services, program updates, peer support network, and other materials will be available via the Internet. Hard copies will also be available through the DPA Work and Family Coordinator, department personnel offices, and Work and Family Program Representatives.

**Referral Services.** The needs assessment reported over 72 percent of workers caring for children and/or adult dependents have problems and difficulties in finding needed dependent care services. We recommend that DPA ensure that all California State employees have information about and access to referral services on work and family resources and dependent care facilities and services. The resource and referral service must provide information about licensed care facilities, for both adults and children, in the requesting employee's local geographic area. As a first year priority, the referral services will include information for:

- Local dependent child and dependent adult care providers;
- Non-core hours and weekend shifts;
- Unscheduled or unplanned overtime hours;
- Short notice care needs;
- Dependent care for mildly ill children/adults; and
- After school, holiday and summer child/dependent care.

We recommend that the resource and referral service also be required to conduct periodic evaluations of referral utilization and to identify any gaps in services to the DPA Work and Family Coordinator. This information will be forwarded to the WFLMC for consideration for improving referral services. The DPA Work and Family Coordinator, in conjunction with the WFLMC, will explore options to provide these services, as well as assess the viability of a peer support network for State employees.

## **5. Dependent Care Support Recommendations:**

The needs assessment showed that 74 percent of California State employees reported problems with dependent care expenses. We recommend that the WFLMC fund dependent care demonstration projects. Through these demonstration projects, we can evaluate how future funding could be used to provide reimbursements for extraordinary dependent care (e.g., emergency care, after hours, overtime care, holiday services, etc.), as well as expanding dependent care options for employees in the future. The initial funding could be used to:

- Explore and pilot the use of scholarships or vouchers for employees, granted on a sliding scale of need, to defray the costs of existing dependent care services;
- Provide seed money for supporting the growth of more affordable, quality dependent care services for State employees, such as near site or onsite child care, elder care, spouse/partner adult day care, as well as after hours and weekend care, in cases of unscheduled/unplanned overtime and emergencies;
- Identify additional State, Federal and private foundation funding or grants available for the State of California to develop more dependent care services for State employees (e.g., identify funding available for the State as an employer to pay for employee vouchers or purchasing slots or negotiating discounted rates in existing dependent care facilities; create a database for use by State employees to find existing State, Federal and private funding which the employee can apply for directly on an individual basis to defray the costs of dependent care services, etc.); and,
- Contract for advice on innovative projects involving resource leveraging (e.g., partnering with CalPERS to invest in low interest building or business loans to providers of onsite or near site dependent care; the feasibility of creating tax-deferred or tax-wise spending accounts for employees to use to convert accrued vacation time into funds to be used for dependent higher education expenses).

We recognize that planning, discussion, and further analysis will be necessary in order to fully implement this recommendation, particularly given the cost of these options. We recommend within the first nine months of report acceptance, that the WFLMC, set the criteria for the demonstration projects to address the following:

- Assisting target groups, such as low-income State employees, single income households, etc.;
- Weekend, after hours, and emergency or unplanned/unscheduled care, due to employee overtime or non-standard work schedule demands; and,
- Employer-paid dependent care in cases of emergency work demands or unscheduled/unplanned overtime.

#### **6. Implementation Strategy:**

This implementation methodology will initiate all Phase I recommendations in the first full year of the Work and Family Program. The emphasis in the first year of the Work and Family Program will:

- Set the infrastructure for future program development;
- Research longer-term funding options;
- Solicit proposals for additional program development; and,
- Develop training curricula for supervisors and managers.

**Months 1-3.** Within the first three months of report acceptance, we urge Governor Davis to issue, distribute and publicize an Executive Order, as described above. We also recommend that the director of DPA designate a Work and Family Coordinator, establish the WFLMC, and institutionalize the Work and Family website ([www.dpa.ca.gov/workingfamilies](http://www.dpa.ca.gov/workingfamilies)). Doing so will emphasize to the entire State workforce that work and family issues are a top priority for the Davis Administration.

**Months 4-6.** Within the first six months of report acceptance, we recommend that the Work and Family Coordinator focus on soliciting proposals, reviewing existing procedures, and establishing communications with department Work and Family Program Representatives. We believe these are necessary preliminary steps to forming the basis for implementing new programs and policies in the future. Because this work involves generating and issuing a number of solicitations, we believe the DPA Work and Family Coordinator will need the full support of the DPA Director and support staff to:

- Solicit proposals for referral service providers;
- Solicit proposals for a permanent marketing plan on work and family programs offered by the State, including development of a Work and Family reference handbook and referral services list;
- Solicit proposals for the management training module;
- Solicit proposals for consultants to advise DPA on benefit packaging options, potential costs, and tax options for implementing dependent care subsidies, redefinition of FMLA eligibility timeframes, and transfer of leave credits;
- Solicit assistance in developing performance metric tools to be provided to agencies as an option for use in developing a reporting system and for an effective feedback system for evaluating suggestions from agency management;
- Initiate review of the management and employee evaluation processes, criteria, and forms to address management incentives and rewards, and eliminate consideration of work and family leave utilization in employee performance and promotional evaluations; and
- Initiate review of State personnel policies affecting Work and Family benefit usage, implementation of flexibility at work sites, and provision for hardship transfers.

**Months 7-8.** Within the first eight months of report acceptance, implementation of new work and family programs begin to emerge. During this period, we recommend the following occur:

- Fund and initiate referral services;
- Fund and implement marketing and employee education, including Work and Family reference handbook;
- Fund and initiate management training module;
- Explore demonstration projects as outlined in the Dependent Care Support recommendations;



- Devise a plan and schedule for implementing revised management incentives, promotion, and evaluation system consistent with recommendations;
- Devise a plan and schedule for implementing revision of State policies to ensure consistent application, including revised management training, flexibility at work sites, allowance of transfer of leave credits, hardship transfers, and FMLA eligibility time frames;
- Devise a plan and implement a system for reporting back to agencies on achievements reflected in reporting results, WFLMC evaluation and actions on agency management suggestions, and how annual "recalibration" of policies and programs will be achieved; and,
- Devise and announce a plan for prioritizing and initiating Phase II recommendations.

### **C. Phase II**

The following recommendations are additional proposals formulated by the WFAC, from needs assessment data, best practices, and anecdotal information. These recommendations include some that are more complex in nature and will require substantially more funding, research, and analysis to successfully implement. In both Phase I and Phase II, we include recommendations which may not, at first glance, appear to be directly related to "work and family" issues. However, we include them in our recommendations because we feel that their presence suggests the need to emphasize current programs and services. By doing so, we highlight the importance of these programs regardless of whether they meet the classic definition of "work and family" programs.

In addition, the value and importance of these recommendations may change over time, as the Phase I recommendations are implemented and evaluated. We strongly encourage the WFLMC to consider these program ideas for future implementation, FYs 2001/2002 and 2002/2003. They are presented in no particular order or priority.

**Dependent Care (Older Child).** We recommend that all California State employees have information and referral services for older (school age) child dependent care facilities. This recommendation will be accomplished by expanding the Phase I recommendation on dependent care to addressing regular local after school and summer care programs for older children. Specifically, we recommend older childcare services in or near the work site for after school and summer care, be investigated.

**Dependent Care Subsidies.** We recommend that DPA, in conjunction with the WFLMC, develop resources for financial reimbursement system for California State employees to assist in paying for family needs that affect work life. We recommend creating dependent care subsidies or reimbursements for dependent care for regular work hours or designing or setting aside California State facilities to accommodate onsite dependent care. The program should include paying other family members for dependent care services consistent with the FlexElect rules.

**Stress Reduction and Wellness Support.** We recommend that DPA, in conjunction with WFLMC, develop resources for financial reimbursement, discount rates, or facilitate California State employees to participate in a fitness center or health-related programs to reduce stress from work and family issues.

**State College/University Support.** We recommend that DPA, in conjunction with WFLMC, develop resources for financial reimbursement or discount rates to support California State employees and dependents attending school at a California State University or University of California campus. The program would reimburse State employees a portion of the college education costs. Included in this recommendation would be an education and awareness program for State employees.

**On-Site Lactation Support.** We recommend the DPA, in conjunction with WFLMC, collaborate with the Department of Health Services Breastfeeding Promotion Advisory Committee to implement statewide breastfeeding promotion and support activities:

- Provide information to all California State employees on the benefits of breastfeeding and on the services available to support breastfeeding in the workplace;
- Provide to all pregnant and breastfeeding State employees access to lactation specialists;
- Implement a breast pump loan program for State employees; and,
- Ensure that breastfeeding State employees have a clean, comfortable area with adequate refrigeration so that they can express their milk during work hours.

**Emergency Transportation Alternatives.** We recommend that all departments provide emergency transportation when an employee is required to work beyond their scheduled work period, or must leave prior to the end of their scheduled work period due to emergency family matters.

**Enhanced Employee Assistance Program (EAP).** We recommend that EAP benefits be expanded and provided to all State employee classifications, to be consistent across all departments.

**Paid Family Leave.** We recommend that the DPA, in conjunction with the WFLMC, explore various options for paid FMLA, including but not limited to: State Disability Insurance, unemployment insurance, and other funding sources.

#### **D. Phase III**

As with any new project, follow-up evaluation is necessary to determine if the new programs met the needs previously identified. We recommend during FY 2003/2004, that DPA conduct a needs assessment of all California State employees to identify the extent to which the work and family programs developed through this effort have had a positive impact on the quality of life of

State employees. As funding is identified, we recommend DPA make modifications to programs based on the assessment and continue to expand dependent care subsidies and other family-friendly benefit and policy options.

#### **E. Funding Recommendations**

By mutual agreement as part of the collective bargaining in 1999, State employee unions and State management agreed to create a fund of \$5 million, appropriated July 1, 2000, to be used to launch programs and initiatives recommended by the WFAC. In addition, DPA provided a budget of \$500,000 for the WFAC to develop the recommendations in this report.

The WFAC has come to recognize that simply distributing the \$5 million appropriation across the 219,000 California State employee workforce would result in a small, one-time subsidy to each employee. Funding for further appropriations to cover the expense of some of the more costly recommendations, e.g. paid FMLA leave, dependent care subsidies, etc., involves collective bargaining issues which must be addressed in future negotiations.

After reflecting on the priorities identified by California State employees in the needs assessment survey and focus groups, as well as the kinds of benefit programs and services used by other employers (e.g. programs discussed in the Best Practices Appendix B), we recommend the following:

- Any unspent amount of the initial \$500,000 allocated by DPA to the WFAC for its operation be retained for initial expenses in implementing these recommendations and transition for the work of the WFAC to the WFLMC.
- The \$5 million allocated is intended for direct services and benefits to employees rather than to provide funding for the Work and Family Coordinator position or committee meeting and travel costs.
- To utilize the bulk of the funding for pilot programs and demonstration projects, 20 percent of the \$5 million fund be allocated as an initial working budget to fund the projects described in Phase I of this report, including:
  - a. Costs of developing, printing and distributing an employee handbook on work and family programs, policies and benefits;
  - b. Costs of developing the management training module on managing work and family issues in the work place;
  - c. Costs of developing the permanent marketing plan; and
  - d. Costs of establishing the statewide employee resource and referral service for dependent care needs.
- In the event the costs of the initial projects above are projected to exceed the initial working budget amount, we recommend that the WFLMC, working with the Work and Family Coordinator, decide on the extent to supplement the initial working budget to complete those Phase 1 recommendations.

- Upon receipt of further detailed advice from DPA and outside consultants (benefit consultants, tax attorneys, etc.) on various options for providing, and the associated costs of, other Phase 1 recommendations (e.g. transfer of leave credits, redefinition of FMLA eligibility rules, reimbursement or subsidies for dependent care costs due to work emergencies and unplanned overtime, etc.), the WFLMC set priorities for allocating parts of the remaining funds to these items.
- We also recommend that as a working budget guideline, the WFLMC, once established, reserve a minimum of 25 percent of the funds remaining (after the initial 20 percent) for demonstration projects and seed money to support the growth of more affordable, quality dependent care services for State employees, as well as for advice on other methods of resource leveraging.

### III. CONCLUSION

The genesis for this report was the significant and important realization that work and family issues must be given a higher priority than they have in the past. Representatives from labor and management worked side-by-side to create these recommendations for both labor and management. We are confident that the data contained in this report will be used to significantly change California State government culture.

There is a large body of research to support the impact of work and family issues on the productivity, recruitment, retention, and morale of employees. **California can position itself to lead other states in setting work and family initiatives.**

Armed with the findings of the needs assessment, the State of California now has the ability to establish itself as the leader in designing a family-friendly environment for all State employees. These recommendations are not “new” in the context of work and family programs. In fact, many of these have been successfully implemented in the public and private sector. What they do represent is a fundamental change in how California State employees are valued. They send a clear message of support to the workforce by recognizing that employees need assistance in balancing work and family needs.

The results of the needs assessment send a strong signal that the California State employees feel work and family issues are important, and want to see changes. The challenge facing both labor and management is to take the next crucial steps -- to allocate resources, obligate the funds, initiate innovative work and family programs, and to make the commitment to institutionalize these programs and standards, so that they are as commonplace as other benefits currently provided. The challenge will be to balance the implementation so that all California State employees, with or without dependents, will benefit from these exciting programs and possibilities. The end result will be a “win-win-win” situation for California State employees, for the State of California, and for the citizens of California.

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